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Attorneys for Defendant:
Wells Fargo Bank, N.A., successor-by-merger to Wachovia Bank, N.A.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MTC FINANCIAL, INC. d/b/a Trustee Corps,
a California corporation,

Plaintiff,

v.

ANDREW E. ROTHBART, an individual;
WELLS FARGO BANK, N.A., successor-by-
merger to Wachovia Bank; FIA CARD
SERVICES, N.A.; UNITED STATES OF
AMERICA (District Director of Internal
Revenue); DISCOVER BANK; REPUBLIC
SILVER STATE DISPOSAL, INC.,

Defendants.

Case No. 2:18-cv-01637-JCM-CWH

STIPULATION AND ORDER TO DISMISS
WELLS FARGO BANK, N.A.

Defendant WELLS FARGO BANK, N.A., successor-by-merger to Wachovia Bank, N.A.
("Wells Fargo"), Defendant UNITED STATES OF AMERICA ("IRS"), and Plaintiff MTC
FINANCIAL, INC. d/b/a Trustee Corps. ("MTC" and collectively the "Parties")), by and
through their respective counsel of record, hereby stipulate and agree as follows:

1. MTC's Complaint in Interpleader on file herein seeks to adjudicate certain rights
of the above-named Defendants as to excess proceeds following a foreclosure sale on December
9, 2016 under a deed of trust. (*See* ECF No. 1).

2. The IRS filed its Answer & Claim to Funds on September 5, 2018. (ECF No. 3).

1 3. Wells Fargo filed and served its Answer to Complaint in Interpleader and Claim
2 to Excess Proceeds ("Answer/Claim") on October 23, 2018. (ECF No. 7).

3 4. No other party or defendant has filed an appearance.

4 5. Wells Fargo hereby withdraws its Answer/Claim and disclaims any further
5 interest in the excess proceeds at issue in the Complaint in Interpleader.

6 6. Now wherefore, in light of the foregoing, Wells Fargo is hereby dismissed with
7 prejudice, with each party to bear their own fees/costs as to each other. However, nothing in this
8 stipulation shall prejudice MTC or the IRS' rights to pursue any fees/costs from the excess
9 proceeds at issue in the Complaint in Interpleader.

10 IT IS SO STIPULATED AND AGREED.

11 Dated this 18th day of December, 2018.

12 ALDRIDGE PITE, LLP

13 /s/ Jory C. Garabedian

14 _____
15 Jory C. Garabedian
16 Nevada Bar No. 10352
17 Attorneys for Defendant,
18 Wells Fargo Bank, N.A., successor
19 by merger to Wachovia Bank, N.A.

 U.S. DEPARTMENT OF JUSTICE

 /s/ Alexander Stevko

Alexander Stevko
Attorney for Defendant
United States of America

18 MALCOLM CISNEROS

19 Nathan F. Smith

20 _____
21 Nathan F. Smith
22 Nevada Bar No. 12642
23 Attorney for Plaintiff
24 MTC Financial Inc. d/b/a Trustee Corps.

 IT IS SO ORDERED December 20, 2018.

26 
27 U.S. DISTRICT COURT JUDGE
28

CERTIFICATE OF SERVICE

I, the undersigned, declare: I am, and was at the time of service of the foregoing, over the age of eighteen (18) years, and not a party to this action. My business address is 520 South Fourth Street, Suite 360; Las Vegas, Nevada 89101-6500.

I hereby certify that on the 18th day of December, 2018, I served the above-described documents electronically on the following, who are registered as electronic case filing users of the Case Management/Electronic Case Files (CM/ECF) system:

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 18th day of December, 2018, in Las Vegas, Nevada.



CHELSEA MILLER
an employee of ALDRIDGE PITE, LLP